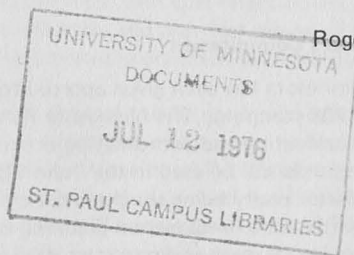
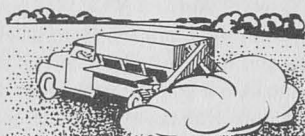


Minnesota's New Water Quality Management Program



Roger Steinberg

In 1972 Congress passed the Federal Water Pollution Control Act, actually a massive set of amendments to prior acts. It set the elimination of pollution discharges into U.S. waters as a national goal. It did this on a time schedule designating 1983 and 1985 for implementation of various sections of the law. Under previous legislation, planning for water pollution control received little attention. The 1972 act accentuates planning and Section 208 with its 1983 goal is of particular importance.

Section 208 of the law provides for an area-wide management plan to deal with water pollution control and is designed to help state and local officials gather information, make decisions, and implement programs.

The Governor's office submitted a list of approved planning areas, delegations of planning authority, and a public participation process, to the U.S. Environmental Protection Agency (EPA) in April 1976.

How Local Communities are Involved

Section 208 will define water pollution goals to be met throughout the state to include the following:

- Identification of all pollutants generated from direct and indirect sources and methods necessary to keep the pollutants from entering Minnesota's water systems.
- Development of an area-wide plan and establishment of priorities for financing all elements of treatment systems.
- Identification of processes to control
 - non-point (see more complete definition under heading, Agriculture and Section 208) sources of pollution, including urban construction and agricultural runoff.
 - the disposal of all wastes which could affect water quality, including solid wastes into landfills.
 - the disposal of sewage sludge.

Plans will be implemented on the local level with the state administering those area-wide. Water quality planning could significantly influence where and how communities develop in the future. The span of planning could range from the most specific engineering of sewage plants to broad socio-economic studies. Section 208 is unique because state and local governments must not only develop a plan but also a process; they must make a commitment to finance projects developed by the plan; and they must take necessary action to solve problems related to achieving the law's 1983 goals.

Minnesota's Commitment

Minnesota has been given approximately \$1.5 million for the first phase of Section 208 planning. The Minnesota Pollution Control Agency (PCA) is responsible for conducting and coordinating the required planning from the state level. Half the funds will be used in the Twin Cities area and half in the rest of the state.

What is really being sought is decision-making at the state and/or local level to deal with some fundamental planning issues for pollution control and to establish a regulatory mechanism to start dealing with non-point source pollution problems. The PCA has said these plans must be workable, evolving with plenty of public input and using wherever possible already existing control authorities.

Local Government's Role

The Twin Cities area is the only one in the state currently designated, through its Metro Council, to do its own planning. Section 208 requires that areas having substantial water pollution control problems plan and implement solutions. EPA originally interpreted this to mean large metropolitan areas, but a recent court case ruled Section 208 planning must be statewide so funds are being split between the Metro Council and the rest of the state.

Section 208 water quality management plans will result from a complex intergovernmental coordination process (meaning all levels of governments and all water-related agencies) with coordination by the PCA. The state advisory committee which is to include a majority of local elected officials, will be set up to advise on broad policy matters. Area-wide committees will be organized by Regional Development Commissions to coordinate local involvement.

Agriculture and Section 208

To quote directly from Section 208:

"Any plan prepared under such process shall include, but not be limited to—a process to identify, if appropriate, agriculturally and silviculturally (forestry) related non-point sources of pollution, including runoff from manure disposal areas and from land used for livestock and crop production, and set forth procedures and methods (including land use requirements) to control to the extent feasible such sources."

Non-point is defined as any pollution from diffuse sources such as cropland, lumbering operations, mining, construction, excavations, etc., as opposed to point sources which can be specifically identified. Point sources might include livestock feedlots, manufacturing plants, sewage treatment plants, or just such a thing as a pipe into a river.

Sediment is the major pollutant from non-point sources; the main source of sediment is wind and water erosion of croplands. Construction sites also contribute large amounts of sediment, the nationwide total much less than cropland, yet perhaps ten times that of cropland on a per acre basis.

The PCA has said non-point sources of pollution are the most prevalent water quality problems in Minnesota. There will be special thought to the effects of this pollution on a basic Minnesota resource—lakes. For each of the non-point source categories, the best management practices are to be adopted after public involvement, assessment of alternatives, technical, and cost-effectiveness considerations. The result should be the most effective and practical means of preventing or reducing the amount of non-point pollution consistent with Minnesota's water quality goals.

The issue of soil erosion and erosion control will be given considerable attention. Section 208 emphasizes the development of a process to deal with problems. In its 1974 Water Quality Strategy Paper, the EPA stated, "Unlike point sources, there is no time requirement or level of control specified under the act for the abatement of non-point sources," and where possible control practices or technology can be applied under existing state program authorities. Where this is not currently feasible, the non-point source program should eventually develop and include a new legal, institutional, and resource framework to help put it into effect. States must demonstrate, through their planning guides, procedures, standards and reports, a serious attempt to meet the act's non-point goals.

Public Involvement

The Water Pollution Control Act requires public participation in the development of all plans, but it fails to spell out just how. The PCA has said all water quality management plans are subject to extensive public participation, including formal public hearings. A public participation process for water quality management is being developed statewide as one of Minnesota's initial reports to EPA.

Interested citizens can do the following:

- Encourage state and local officials to keep the public fully informed about what they and their planning boards are doing.
- Build a broad base of support for environmentally and economically sound aspects of the plans, projects, and implementation procedures.
- Inform local residents of these and related needs.
- Request summary reports of all steps in planning meetings and hearings be made available for public review and news agencies.

To Obtain Additional Information

One source of additional information is the Office of Public Affairs, U.S. Environmental Protection Agency, 401 M Street SW, Washington, D.C. 20460. Request information on water quality planning, non-point pollution and the Section 208 program. Be sure to ask for a copy of Public Law 92-500, The Water Pollution Control Act.

Another source of information is the Minnesota Pollution Control Agency, Division of Water Quality, 1935 County Road B2, Roseville, Minnesota 55113.

Soil and Water Conservations Districts and District Conservationists for the Soil Conservation Service are also excellent sources of information on local non-point pollution problems. The Agricultural Extension Service through its county and area community resource development staff can also answer questions about the Section 208 program in your area.



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